

*Testimony of Kirk Lewis, Chief of Staff
Office of the Honorable Dave Bing, Mayor of the City of Detroit*

*Before The
Michigan Senate Transportation Committee*

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Chairman Casperson ... Vice-chairs Kowall and Gleason ... distinguished members of the Senate Transportation Committee.

Good afternoon. My name is Kirk Lewis. I am Chief of Staff for the Mayor's Office in the City of Detroit.

On behalf of the Honorable Mayor Dave Bing and the residents of Michigan's largest city, thank you for the opportunity to testify on Senate Bills 909, 911 and 912 – legislation to create a Southeast Michigan Regional Transit Authority.

I know time is limited. So I will keep my remarks brief.

I would like to thank Chairman Casperson for taking the lead on this important public policy endeavor.

I'd also like to thank the co-sponsors of this bipartisan package: Senators Kowall ... Warren ... and Detroit's own Bert Johnson, who has long championed regional transit efforts.

As you all know, transportation is an issue that has plagued Southeast Michigan for decades. Before you today is a multifaceted and well-intentioned package that seeks to remedy the shortcomings of public transit as it exists today in our region.

The Bing Administration is excited about the promise this package holds for Detroit – its residents, visitors and businesses – and Southeast Michigan at large. We pledge to partner with state and local leaders to help shepherd it through the Legislature.

Know that the City of Detroit is generally supportive of this legislation. We do, however, have concerns related to: (1) board representation; (2) voting thresholds; (3) contracting; (4) property acquisition; (5) resources for existing transit systems; (6) uneven distribution of raised revenue; and (7) Home Rule.

Taken in order, note the following:

BOARD REPRESENTATION

The package would create an initial 10-member governing board, with the executives of Wayne, Oakland and Macomb counties, and the chair of the Washtenaw County Board of Commissioners each getting 2 appointments, and the Governor and the Mayor of the City of Detroit, 1 appointment each.

All of the appointees – except for the Governor’s selection – would have voting power. Clearly, this affords the City of Detroit less clout on the Authority board than fellow participants and sends the wrong message to Michigan’s largest city. It is also concerning considering that Detroit’s population is:

- More than twice Washtenaw County’s;
- Nearly equal to Macomb County’s; and
- Likely to depend more on public transportation because of extremely high auto insurance rates and unemployment.

The Bing Administration believes all member jurisdictions should have equal board representation and voting strength. Amending the package to accomplish that is the right thing to do, if the Legislature sincerely wants to signal to all stakeholders in the region that they are equals.

VOTING REQUIREMENTS

The variability of the votes required for board and Authority action also is a concern. Some issues require a simple *majority* vote, others a *four-fifths* vote, and still others a *unanimous* vote.

This is confusing. Why not simply require a unanimous vote on all issues before the Authority, similar to how the governing board for Cobo Center is required to act? The Bing Administration is confident that this structure would work well for public transit.

CONTRACTING

The package could go further to ensure fairness in the awarding of Authority contracts. If nothing else, perhaps there should be a provision requiring the Authority to issue an annual report on the race, gender and headquarters of Authority vendors.

Doing so would seem to be in keeping with the wholesale push to promote transparency and accountability in government.

PROPERTY ACQUISITION

The legislation would permit the prospective Authority to acquire property within its jurisdiction through "condemnation proceedings." This provision should be carefully vetted to ensure the protection of property rights.

EXISTING SYSTEMS' RESOURCES

The package, as introduced, would make the Authority the new "designated recipient" for federal and state operating and capital assistance grants and empower it to withhold funding from other public transit systems – namely DDOT and SMART.

The package should offer another way to incent DDOT and SMART to coordinate routes, schedules and bus fares.

UNEVEN DISTRIBUTION OF RAISED REVENUE

Another questionable provision calls for the Authority to spend 85 percent of the money raised from each member jurisdiction *within* that member jurisdiction. This requirement does not promote regionalism.

That's why the Bing Administration believes the package should be amended to simply allow the Authority to spend member revenues where they are needed most within the public transit region, in accordance with the regional transit plan.

HOME RULE

The legislation would further encroach on the time-honored traditions of home rule and local control by exempting the would-be Authority from having to comply with local zoning and land-use ordinances.

These ordinances exist for a reason and often reflect years of planning by local units of government. The legislation should therefore encourage the Authority to engage – not circumvent – locals.

To be sure, there are other elements of this package that merit additional consideration. I do not, however, wish to belabor the point, which is simply this: The Bing Administration enthusiastically supports the concept of a Southeast Michigan Regional Transit Authority and is eager to work with state and local leaders to make it reality.

Thank you for your time and consideration of my remarks. I'm happy to entertain questions.